

Express mail certificate number EL 992929730 US dated May 27, 2005

PTO-1390 (Rev. 02-2005)  
Approved for use through 3/31/2007. OMB 0651-0021  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

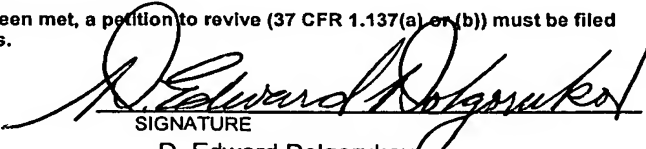
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<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>		<b>ATTORNEY'S DOCKET NUMBER</b> 1- 16864 <b>U.S. APPLICATION NO. (If known, see 37 CFR 1.5)</b> 10/510,888 <b>PRIORITY DATE CLAIMED</b> 11 April 2002 (11.04.2002)
<b>INTERNATIONAL APPLICATION NO.</b> PCT/EP03/03772	<b>INTERNATIONAL FILING DATE</b> 11 April 2003 (11.04.2003)	
<b>TITLE OF INVENTION</b> Fuel Cell System In The Form Of A Printed Circuit Board		
<b>APPLICANT(S) FOR DO/EO/US</b> Andreas Schmitz et al		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
1. <input type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371. 2. <input checked="" type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371. 3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input type="checkbox"/> The US has been elected (Article 31). 5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). (Combined Declaration/Power of Attorney 4 pages) 10. <input checked="" type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). (8 pages)		
<b>Items 11 to 20 below concern document(s) or information included:</b>		
11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. (5 pages) 13. <input type="checkbox"/> A preliminary amendment. 14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76. 15. <input type="checkbox"/> A substitute specification. 16. <input checked="" type="checkbox"/> A power of attorney and/or change of address letter by Assignee of Record PTO/SB/81 w/Statement Under 37 CFR 3.73(b) and copy of the Assignment document (6pgs) & Change of Address Request by inventors (4 pgs) 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825. 18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). 20. <input checked="" type="checkbox"/> Other items or information: Corresp Address by Attorney of Record (1 pg); Response to Missing Requirements 35 USC 371		

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/510,888		INTERNATIONAL APPLICATION NO. PCT/EP03/03772		ATTORNEY'S DOCKET NUMBER	
The following fees have been submitted				CALCULATIONS	PTO USE ONLY
21. <input type="checkbox"/> Basic national fee..... \$300				\$	
22. <input type="checkbox"/> Examination fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4)..... \$100 All other situations..... \$200				\$	
23. <input type="checkbox"/> Search fee Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority..... \$100 International Search Report prepared and provided to the Office..... \$400 All other situations..... \$500				\$	
TOTAL OF 21, 22 and 23 =				\$	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
- 100 =	/50 =		x \$250	\$	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(h)).				\$ 130.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total claims	- 20 =		x \$ 50	\$	
Independent claims	- 3 =		x \$200	\$	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360	\$	
TOTAL OF ABOVE CALCULATIONS =				\$ 130.00	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.					
SUBTOTAL =				\$ 130.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				+	\$
TOTAL NATIONAL FEE =				\$ 130.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				+	\$ 40.00
TOTAL FEES ENCLOSED =				\$ 170.00	
06/02/2005 SNATARR0 00000090 10510888				Amount to be refunded:	\$
01 FC 1617 130.00 0P				Amount to be charged:	\$
<p>a. <input checked="" type="checkbox"/> A check in the amount of \$ 170.00 to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 13-1816. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p>					
<p>NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.</p> <p>SEND ALL CORRESPONDENCE TO:          Customer Number 001678          Marshall &amp; Melhorn, LLC          Four SeaGate - 8th Floor          Toledo, Ohio 43604</p>					
				<p>          SIGNATURE          D. Edward Dolgorukov          NAME          26,266          REGISTRATION NUMBER</p>	

"Express Mail" Label Number EL 992929730 US  
 I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on May 27, 2005 and is addressed to Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.  
Kathleen J. Moore  
 (Signature of person mailing correspondence)  
 Kathleen J. Moore  
 (Typed name of person mailing correspondence)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	]	
ANDREAS SCHMITZ, CHRISTOPHER	]	Group Art Unit:
HEBLING, ROBERT HAHN, and	]	
BRUNO BURGER	]	
	]	
Application No. 10/510,888	]	Examiner:
Filing Under 35 U.S.C. 371 in the DO/EO/US	]	
of PCT/EP03/03772 filed 11 April 2003	]	
	]	
For: FUEL CELL SYSTEM IN THE FORM	]	Attorney Docket 1-16864
OF A PRINTED CIRCUIT BOARD	]	

May 27, 2005

Mail Stop PCT  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

RESPONSE TO THE NOTIFICATION OF MISSING REQUIREMENTS  
UNDER 35 U.S.C. 371

Honorable Sir:

In response to the "Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US)" dated March 30, 2005 (copy attached), enclosed are the following documents:

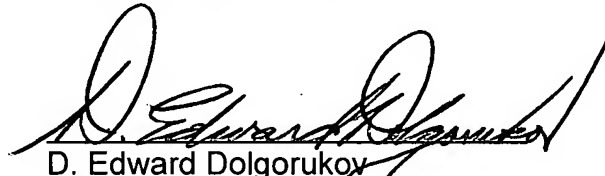
- the fully executed Combined Declaration and Power of Attorney document;

- an Assignment document from Andreas Schmitz, Christopher Hebling, Robert Hahn and Bruno Burger to Fraunhofer-Gesellschaft zur Foerderung der angewandten Forschung e.V. for recordation;
- Form PTO/SB/122, Change of Correspondence Address by the Attorney of record to ensure any correspondence in this case will be addressed to the address associated with Customer Number 001678;
- Form PTO/SB/81, Power of Attorney and Correspondence Address Indication Form by the Assignee of record, along with an attached Statement under 37 CFR 3.73(b) and a copy of the Assignment document, revoking all previous powers of attorney and appointing Marshall & Melhorn, LLC of Four SeaGate – 8<sup>th</sup> Floor, Toledo, Ohio 43604, Customer Number 001678, to prosecute the subject application, transact all business in the United States Patent and Trademark Office connected with this application, and changing the correspondence address to the address associated with Customer Number 001678;
- Powers of Attorney and Correspondence Address Indication Forms (4) by each of the inventors also requesting the correspondence address be changed to the address associated with Customer Number 001678; and
- an English translation of the International Preliminary Examination Report with Annexes (PCT/IPEA/409).

A check in the amount of \$170.00 is enclosed to cover the requisite fees:  
\$130.00 surcharge for late filing of the Declaration and \$40 for recordation of the  
Assignment.

Please charge any additional fees due or credit any overpayment to Deposit  
Account No. 13-1816.

Respectfully submitted,



D. Edward Dolgorukov  
Registration No. 26,266

ATTORNEYS

Customer Number 001678  
MARSHALL & MELHORN, LLC  
Four SeaGate - 8<sup>th</sup> Floor  
Toledo, Ohio 43604

Phone: (419) 249-7146  
Fax: (419) 249-7151



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/510,888	Andreas Schmitz	231121

INTERNATIONAL APPLICATION NO.
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PCT/EP03/03772

IA. FILING DATE	PRIORITY DATE
04/11/2003	04/11/2002

23460  
 LEYDIG VOIT & MAYER, LTD  
 TWO PRUDENTIAL PLAZA, SUITE 4900  
 180 NORTH STETSON AVENUE  
 CHICAGO, IL 60601-6780

CONFIRMATION NO. 8548

371 FORMALITIES LETTER



\*OC000000015596240\*

Date Mailed: 03/30/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 10/08/2004
- English Translation of the IA filed on 10/08/2004
- Copy of the International Search Report filed on 10/08/2004
- Copy of IPE Report filed on 10/08/2004
- Preliminary Amendments filed on 10/08/2004
- Information Disclosure Statements filed on 10/08/2004
- Request for Immediate Examination filed on 10/08/2004
- U.S. Basic National Fees filed on 10/08/2004
- Priority Documents filed on 10/08/2004

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

## SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Late oath or declaration Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

SHAKEEL AHMED

Telephone: (703) 308-9140 EXT 208

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/510,888	PCT/EP03/03772	231121

FORM PCT/DO/EO/905 (371 Formalities Notice)

CERTIFICATE UNDER 37 CFR 1.10 OF MAILING BY "EXPRESS MAIL"

"Express Mail" Label Number EL 992929730 US

Date of Deposit May 27, 2005

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

*Kathleen J. Moore*

\_\_\_\_\_  
Signature of person mailing correspondence

Kathleen J. Moore

\_\_\_\_\_  
Typed name of person mailing correspondence

FILING IN THE UNITED STATES DESIGNATED/ELECTED OFFICE  
(DO/EO/US) UNDER 35 USC 371

U.S. Application Number 10/510,888

International Appln. No. PCT/EP03/03772 filed 11 April 2003

Earliest Priority Date Claimed: 11 April 2002

Title: Fuel Cell System in the Form of a Printed Circuit Board

Inventors: Andreas Schmitz et al

Attorneys: Marshall & Melhorn, LLC

Attorney Docket No: 1-16864